

**Opening Statement of Chairman Charles E. Schumer
Hearing on Nominations to the Election Assistance Commission
U.S. Senate Committee on Rules Committee and Administration
December 11, 2013**

Good morning. Today we meet to consider the nominations of Mr. Thomas Hicks and Ms. Myrna Perez to be Members of the Election Assistance Commission.

I would like to welcome Ms. Perez and Mr. Hicks here today and congratulate you on your nominations.

This is the second time they have been nominated. Mr. Hicks was first nominated over three years ago in March 2010 and Ms. Perez was first nominated over two years ago in March 2011.

Both our nominees have strong backgrounds in election law and procedure. Mr. Hicks, recommended by Minority Leader Pelosi, has served as Democratic Senior Elections Counsel for the House Administration Committee. Ms. Perez, recommended by Majority Leader Reid, has had an impressive legal career, with degrees from Yale, Harvard, and Columbia before her current job as Deputy Director at the Brennan Center for Justice.

Despite both of them being well-qualified, they saw their nominations languish in the last Congress. Meanwhile, the EAC has lost all sitting Commissioners, impeding the important work that it does.

The EAC is an independent, bipartisan federal commission created in 2002 by the Help America Vote Act, called "HAVA." It is responsible for a number of important activities, including:

- Testing and certifying voting equipment;
- Collecting and publishing a nationwide survey of election administration data; and
- Serving as a clearinghouse to share information among election officials on "best practices" related to election administration.

This important work has been severely hampered by the lack of Commissioners. For example, without Commissioners, the EAC cannot conduct formal meetings, cannot adopt voting machine standards, and cannot hire senior staff including an executive director or general counsel.

Though its hands are tied behind its back, the EAC has admirably continued to help election officials throughout the country. Among other things, the EAC continues to perform voting machine testing and certification, to issue best practices, to hold roundtables, and to oversee grant funding.

Importantly, the EAC continues to publish the Election Administration and Voting Survey. Using data from the survey, the EAC issues an annual report that is the only national census of election data. In fact, it is the go-to source for certified election data.

I am dismayed at the Republican leaderships' unwillingness to even nominate any Commissioners. As you know, the EAC needs three Commissioners for a quorum to do business.

At a time when long lines continue to plague our country and impede voting, we must have a functioning EAC. Confirming these nominees is the first step. I encourage my Republican colleagues to nominate two EAC candidates so the Commission can get fully running by next year's elections.

Again, thank you for being here today, and I look forward to hearing from the nominees.